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US Patent and Trademark Office

SERIAL NO.::

10/623,241

TELEFAX:

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571-273-8300

ATTORNEY DOCKET NO .:

100723-14

DATE:

June 24, 2008

MESSAGE:

I hereby certify that the following papers are being transmitted by facsimile to the Patent and Trademark Office on the date shown below:

- Petition to Withdraw Holding of Abandonment (2 pages)
- Prima Facie Evidence (2 pages)
- Fax Cover sheet (1 page)

CHARGE DEPOSIT ACCOUNT 14-1263

By Stilo May h

Date June 24, 2008

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Attorney Docket: 100723-14

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

JURGEN HORN, ET AL.

USSN.:

10/623,241

FILING DATE:

July 18, 2003

FOR:

Gama-Sterilisable Nutrient Medium Based on Casein Soya Peptone Agar

ART UNIT:

1657

EXAMINER:

Kailash C. Srivastava

CUSTOMER NO.:

27,388

Mail Stop: Issue Fee

Hon. Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION UNDER 37 CFR § 1.181(a) TO WITHDRAW HOLDING OF ABANDONMENT

SIR:

The above-identified application is apparently held abandoned for failure to timely pay the required issue and publication fee within the statutory period of three months from the mailing date of the Notice of Allowance. Applicants respectfully request that the Commissioner exercise his authority and withdraw the holding of abandonment in view of the following facts:

A Notice of Allowance was mailed to the Applicant on February 14, 2008. On April 22, 2008 Applicant faxed the appropriate Fee transmittal to Mail Stop Issue Fee. However, due to a clerical error Applicant inadvertently did not check the appropriate fees to be paid.

Copies of the Fee Transmittal and the facsimile transmittal confirmation showing that the Applicant attempted to timely pay the required issue fee and publication fee are attached hereto.

Petition to Withdraw Holding of Abandonment U.S. Serial No. US 10/623,241

Page 1

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The facsimile transmittal of mailing constitutes prima facie evidence that the Fee Transmittal was timely filed.

Applicants request, therefore, that the Commissioner exercise his authority and correct the record to show that this application is pending and has not been abandoned. Specifically, it is respectfully requested that the Notice of Abandonment be withdrawn and the application returned to active status.

FEE

The director is hereby authorized to charge the required issue fee and publication fee in the amount of \$1740.00 to Deposit Account No. 14-1263.

Early and favorable action is earnestly solicited.

Respectfully submitted,

NORRIS McLAUGHLIN & MARCUS, P.A.

Ву

Serle I. Mosoff

Reg. No. 25,900

875 Third Avenue - 18th Floor

New York, New York 10022

Phone: (212) 808-0700 Fax: (212) 808-0844

Facsimile: (212)808-0844

COMPANY: reply fax to 212808 14

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